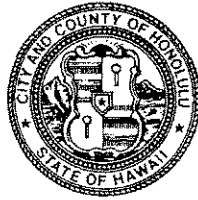


DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 527-6743  
DEPT. WEB SITE: [www.honolulu.gov](http://www.honolulu.gov) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

Authorization	<u>Henry Eng</u>
Advertisement	<u>11-7-08</u>
Public Hearing	<u>12-10-08</u>

MUFU HANNEMANN  
MAYOR



HENRY ENG, FAICP  
DIRECTOR

DAVID K. TANQUE  
DEPUTY DIRECTOR

December 3, 2008

2008/SUP-1 (RY)

RECEIVED

DEC 8 9 53 AM '08

CITY CLERK  
HONOLULU, HAWAII

**MEMORANDUM**

TO: KARIN HOLMA, CHAIRPERSON  
AND MEMBERS OF THE PLANNING COMMISSION

FROM: HENRY ENG, FAICP, DIRECTOR  
DEPARTMENT OF PLANNING AND PERMITTING

SUBJECT: SPECIAL USE PERMIT APPLICATION FILE NO. 2008/SUP-1  
MILILANI WASTEWATER PRELIMINARY TREATMENT FACILITY  
MODIFICATIONS  
94-417 MAKAPIPIPI STREET, MILILANI  
DEPARTMENT OF DESIGN AND CONSTRUCTION, CITY & COUNTY  
OF HONOLULU  
TAX MAP KEY 9-4-5: 19, WAIPIO, OAHU

Transmitted for appropriate action is my report and recommendation for approval of a Special Use Permit application for existing wastewater treatment facility improvements and proposed modifications to expand its preliminary treatment capacity, subject to standard conditions.

HE:lh  
Doc. 631483

Attachment

cc: DDC - Eugene C. Lee  
ENV - Eric Takamura

DEPARTMENT OF PLANNING AND PERMITTING  
CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

IN THE MATTER OF THE APPLICATION	)	
	)	
OF	)	
	)	
CITY & COUNTY OF HONOLULU	)	2008/SUP-1
DEPARTMENT OF DESIGN AND	)	
CONSTRUCTION	)	
	)	
FOR A	)	
	)	
STATE SPECIAL USE PERMIT	)	

FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATION

I. PROPOSAL

A. BASIC INFORMATION

APPLICANT	:	City & County of Honolulu, Department of Design and Construction
LANDOWNER	:	City & County of Honolulu
REQUEST	:	Application for a Special Use Permit for an existing preliminary wastewater treatment facility in the State Land Use Agricultural District.
LOCATION	:	94-417 Makapipipi Street, Mililani ( <b>Exhibit A</b> )
TAX MAP KEY	:	9-4-5: 19
PROJECT AREA OF SUP	:	11.2 Acres
RECORDATION	:	Land Court

STATE LAND USE DISTRICT	:	Agricultural District ( <b>Exhibit B</b> )
EXISTING ZONING	:	AG-1 Restricted Agricultural District ( <b>Exhibit C</b> )
CENTRAL OAHU PUBLIC INFRASTRUCTURE MAP	:	Sewage Treatment Plant Modification approved for funding and construction
EXISTING USE	:	Wastewater Preliminary Sewage Treatment Facility (grinding and grit removal only <sup>1</sup> )
SURROUNDING LAND USE	:	Agriculture, open space, single-family residential

## B. BACKGROUND

On November 2, 1967, the City & County of Honolulu issued a building permit to establish a new sewage treatment plant on an 11.191-acre lot currently designated as Tax Map Key 9-4-5: Parcel 19, Waipio, Oahu. The permit allowed the construction of grit and sedimentation tanks and accessory uses and structures. Thereafter, at least six (6) more building permits (Nos. 129109, 64005, 64006, 314158, 370062, and 549245) were issued for additional sewage treatment facilities and related structures to serve the master-planned community of Mililani Town. In May, 2003, during the processing of a Draft Environmental Assessment for the current proposed modifications, it was discovered that an SUP was not issued for the existing sewage treatment facility. (The Department of Planning and Permitting ("DPP") has no record of a Special Use Permit ("SUP") for the establishment of the sewage treatment plant.) Thus, the instant SUP application was submitted to address this deficiency and to allow the proposed improvements.

## C. DESCRIPTION OF REQUEST

The City & County of Honolulu, Department of Design and Construction (the "Applicant") proposes to expand the headworks portion of the existing preliminary sewage treatment facility to increase the capacity for grinding and grit removal of the raw sewage that enters the facility. Thereafter, the pre-treated effluent is diverted via sewer pipes and pumping stations to the Honouliuli Wastewater Treatment Facility for further processing. The purpose of the preliminary treatment is to reduce the potential for clogging downstream sewage transmission and pumping facilities due to large and heavy solids.

The headworks modifications will include installing two (2) new grinders (second unit is for backup) each capable of handling a peak flow of 19.3 million gallons per day (mgd), refurbishing the existing grit removal facilities, and installing new air blowers. The existing grinder and by-pass bar screen will be removed and new manually-cleaned bar screens will be installed. The purpose of the by-pass bar screen is for immediate screening in the event the grinder malfunctions and requires diversion through the by-pass bar screen.

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<sup>1</sup> Originally developed as a secondary wastewater treatment facility with effluent being discharged into Kipapa Gulch, the facility was converted to a preliminary treatment facility in 1990 whereby effluent solids are ground and grit removed. Thereafter, the pre-treated effluent is diverted to Honouliuli Wastewater Treatment Plant for further processing.

In addition, modifications are proposed for the existing aerated grit chamber, liner improvements to the existing sludge drying bed for dewatering grit, new air blowers for the sludge pump building, new electrical and instrumentation systems, and the draining of unused tanks including a primary clarifier tank, aeration tanks, and final clarifier tank<sup>2</sup>.

The facility currently serves Mililani Town, Mililani Mauka, Waipio Acres, Melemanu, Launani Valley, and Mililani Technology Park. The Applicant anticipates growth in population served by this facility due to additional development in Launani Valley and Mililani Technology Park, and a few remaining undeveloped commercial properties.

Construction of the proposed modification is anticipated to start in the first quarter of 2009 with completion to occur within a 12 to 18-month period thereafter.

#### D. SITE REGULATORY DESIGNATIONS AND AGRICULTURAL RATINGS

**Table 1** below presents the land use designations and agricultural ratings of the project site.

<b>Table 1 - Land Use Designations and Agricultural Ratings</b>	
State Land Use Designation	Agricultural
Central Oahu Sustainable Communities Plan	Agricultural and Preservation; outside of Urban Community Boundary
Zoning Designation	AG-1 Restricted Agricultural District
UH Land Study Bureau Rating (on a scale of A to E with E being the lowest agriculture productivity class)	Urban
Agricultural Lands of Importance to the State of Hawaii (ALISH)	Unrated
United States Department of Agriculture, Soil Conservation Service, Soil Type	Site designated as within Lahaina Silty Clay Series. Annual rainfall is 20 to 35 inches. This soil is used for sugarcane and pineapple production. Small acreages used for truck crops, pasture, homesites, and wildlife habitat. Large majority of site has soil type Lahaina Silty Clay, 3 to 7 percent (3 to 7%) slopes (LaB) which consists of well-drained soils on uplands. Remainder of site at the northeast corner classified Lahaina Silty Clay, 7 to 15 percent (7 to 15%) slopes (LaC3).

#### E. OTHER LAND USE APPROVALS

In accordance with Chapter 343, Hawaii Revised Statutes, the Applicant filed a Final Environmental Assessment ("FEA") and a Finding of No Significant Impact ("FONSI") with the State Department of Health, Environmental Quality Control Office ("OEQC").

<sup>2</sup> The City Board of Water Supply indicates it is considering rehabilitating one of the abandoned circular digester tanks as storage for a proposed recycled water system from the Wahiawa Wastewater Treatment Plant to Central Oahu Regional Park.

The FEA and FONSI was published in the OEQC's December 23rd 2005, edition of The Environmental Notice<sup>3</sup>.

On June 6, 2007, the Honolulu City Council adopted Resolution No. 07-135 revising the Public Infrastructure Map (PIM) for the Central Oahu Development Plan area, File No. 2007/PIM-3, to include a sewage treatment plant modification symbol for the Project<sup>4</sup>.

## II. FINDINGS OF FACT

On the basis of the evidence provided, the Director finds:

### A. SITE DESCRIPTION AND SURROUNDING USES

The irregular shaped parcel is located just beyond the southern end of Mililani Town. The lot gently slopes downward from northwest to southeast at about 2 percent (2%). Lands to the northeast, north and west are used for a plant nursery. North of the plant nursery is the single- and multi-family residential development of Mililani Town. Lands to the east and south are in agriculture and open space uses.

Rainfall at the site and surrounding area averages about 32 inches per year. General wind directions for the Island of Oahu indicate that prevailing winds are northeasterly trade winds that occur approximately 70 percent (70%) of the time.

Vehicular access is provided via a paved 24-foot wide easement over Tax Map Key 9-4-5: Parcel 48 which connects the subject property to Makapipipi Street.

### B. PUBLIC AGENCY COMMENTS

The application materials were transmitted to various City and State governmental agencies to evaluate the impact of the proposed request on their facilities and services. Public agencies did not object to the proposal. Their comments are attached as **Attachment A**.

### C. COMMUNITY CONCERNS

Informational notices on the SUP application were sent to elected government officials, surrounding landowners, and the Mililani Neighborhood Board No. 25 (the "Board").

The proposed modifications to the facility were presented to the Board on August 27, 2008. Several residents complained about odors and the lack of notification of the pending SUP. The Board recommended that the Applicant conduct additional community outreach. In response to the Board's recommendations, the Applicant sent additional information and an odor survey to surrounding residents as far as 1,500 feet from the subject property, and invitations to a public information meeting held on October 3, 2008 at Mililani Uka Elementary School. A site visit of the facility for community members was held on October 4, 2008.

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<sup>3</sup> The FEA and FONSI included the construction of a 1.7 million gallon per day flow equalization basin in the south-east corner of the property. The current proposal eliminates the flow equalization basin.

<sup>4</sup> The proposed flow equalization basin was not included in the PIM amendment approval.

On October 22, 2008, the Applicant made a second presentation before the Board. The Applicant presented their findings on the odor survey and concluded that certain properties were being impacted by odors from nearby manholes. To address the odor impacts, the Applicant proposes to install activated carbon canisters to absorb odorous gases at selected manholes. The Board voted to support the project subject to conditions relating to notice, access, the installation of carbon canisters on selected manholes, and limits on the facility's service to other Central Oahu communities such as Waiawa and Koa Ridge. A copy of the Board's resolution in support of the proposal is attached as **Attachment B**.

### III. ANALYSIS

#### A. PUBLIC PLANS AND POLICIES

##### 1. Enabling Legislation – Chapter 205, Hawaii Revised Statutes

The site is within the State Land Use Agricultural District, which does not allow treatment plants as a permitted use. Hawaii Revised Statutes (HRS) §205-4.5 and Hawaii Administrative Rules (HAR) §15-15-25(b) permits treatment facilities within the Agricultural District by Special Permit pursuant to HRS §205-6 which states that the county planning commission may permit certain "unusual and reasonable" uses within agricultural and rural districts other than those for which the district is classified.<sup>5</sup> In determining whether a proposed use is deemed "unusual and reasonable," Rules of the Planning Commission §2-45 established five (5) guidelines to be applied.

The Director finds that the proposal meets the requirements of HRS Chapter 205 and the five guidelines of Rules of the Planning Commission §2-45, as follows:

Guideline 1: Such use shall not be contrary to the objectives sought to be accomplished by the State Land Use Law and Regulations.

The objective of the State Land Use Law is to preserve and protect lands and to encourage uses for which lands are best suited. Modifications to the preliminary treatment facility would not impact surrounding agriculture operations nor would it remove lands from crop production. The proposed improvements can be accommodated on site and therefore, no additional land is needed for the proposed modifications. The wastewater treatment facility was originally established in the mid 1960's and has been in continuous operation since. At the time, Mililani Town residential development was under construction and required the establishment of a sewage treatment and disposal facility in proximity to the residential development. As a result, the Mililani Sewage Treatment Plant was constructed on agricultural-designated lands makai of Mililani Town, downwind of the newly constructed residential units.

Sewage systems take advantage of gravity flow as the primary means of collecting and transporting effluent to treatment locations before being discharged for reuse or at an ocean outfall. In its present process of preliminary treatment, the site and associated operations is consistent with the objectives of

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<sup>5</sup> There are no rural districts in the City and County of Honolulu.

the State Land Use Law in terms of suitability in that the site is located down-gradient from sewage generation sources, buffered from nearby residential development by at least 250 feet of open space/agriculture, and utilizes lands that have not been rated for crop production purposes.

Therefore, the proposed modifications to allow an increase to preliminary treatment capacity is not contrary to the overall objectives of Chapter 205, as it will not interfere with the agricultural operations or current use of other lands in the area. Also, retaining the current site for pre-treatment of sewage effluent will avoid the development of other agriculturally-designated lands for treatment facilities some of which may currently be in cultivation.

Guideline 2: That the desired use would not adversely affect surrounding property.

The Applicant prepared a Final Environmental Assessment for the project which was determined to have no significant impacts and was issued a FONSI on December 12, 2005. The FEA found that the proposed action is not anticipated to increase the amount of odors generated or result in odor complaints from nearby residents. A staff site visit on June 13, 2008 confirmed that odor generated at the existing grinder facility is minimal. The Applicant conducted an odor survey of residents within 1,500 feet of the subject property in September, 2008. Seven (7) respondents stated that odors are a problem. The Applicant confirmed that odors reported by respondents are due to odorous gases emanating at sewer manholes within the residential community and outside the project site and proposed the installation of activated charcoal canisters to absorb the odorous gases.

The Applicant anticipates that the proposed improvements would reduce the amount of odorous gases being generated in the sewer lines and at the property since the improvements would result in higher effluent flow volumes and velocities which reduces the potential for odor generation. Should there be an increase in odor intensities and resultant odor complaints, the Department of Planning and Permitting has the authority to revisit the permit which then could require minor modifications to the SUP to implement odor mitigating measures. The Applicant acknowledges that if a significant number of odor complaints are received, the installation of odor control equipment may be required at the headworks facility.

Regarding noise impacts, the new air blowers are substantially smaller than current blowers and the Sludge Pump Building where the new blowers will be installed will be provided with acoustical treatments so that any increase in noise will be negligible at the boundaries of the property.

The Applicant is also proposing that abandoned tanks be drained of rainwater or pursuant to the Board of Water Supply's proposal, converted to reclaimed water storage<sup>6</sup> for irrigation purposes which would further reduce the potential for adverse impacts such as mosquito infestations.

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<sup>6</sup> Water storage and transmission is a permitted use in the Agricultural District and is not subject obtaining an SUP.

With respect to the Board's conditional support, the DPP has notified owners of properties located within 1,500 feet of the subject property of the Planning Commission's upcoming public hearing scheduled for December 10, 2008. Regarding the remaining conditions of support set forth by the Board, the Applicant proposes to restrict access to vehicles that are service or construction related; install required charcoal canisters at select manholes; and, accommodate sewer connections for projects that are within the service area.

The Board's recommendations are not recommended for conditions of SUP approval because:

- Restricting access or hours for access is not practical as the facility operates 24 hours, 7 days a week. Access must be provided for service or emergency repairs to avoid health and safety concerns. Other than access for emergency purposes, the Applicant does not anticipate accessing the site other than during normal business hours.
- The installation of carbon canisters at select manholes to address odor at off-site locations should be addressed as a reporting requirement under the SUP as their installation locations and maintenance should be determined on an "as-needed" basis.
- A condition to limit sewer connections for projects located within the service area would be inappropriate as existing policies of the Central Oahu Sustainable Communities Plan state that all wastewater produced by new developments in Central Oahu connect to a regional or municipal sewer service system. As the capacity for pre-treatment at this facility is being expanded, additional connections from new developments should be given the opportunity to connect providing additional flows can be adequately accommodated.

Guideline 3: Such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection.

The proposed modifications to increase the preliminary treatment capacity would not place an unreasonable burden on public infrastructure agencies or facilities. Requests for review of the proposal were sent to public agencies and no objections on the proposal have been received to date. The FEA indicates that the Project would not adversely affect other public infrastructure such as roadways, water service, fire and police services, refuse disposal, power, and that no significant impact is anticipated on the environment and thus, an environmental impact statement is not required. The Project is to address wet-weather flows and increased sewage generation from upstream developments and will not in of itself result in a population increase.



Guideline 4: Unusual conditions, trends and needs have arisen since the district boundaries and regulations were established.

Since the establishment of the State Land Use District boundaries and regulations, treatment plants were not a permitted use in the State Land Use Agricultural District. Facilities for the treatment or transmission of sewage effluent are necessary components of urban developments such as housing, commercial, and industrial uses. However, treatment plants and similar disposal facilities typically result in adverse impacts such as noise, odors, dust, and/or traffic and are best sited away from uses such as residential or commercial. In this case, the original secondary treatment plant was sited 250 feet from the nearest residence of Mililani Town, a distance found insufficient to mitigate odor impacts on nearby residences. Subsequent to the construction of the original treatment plant, the Applicant was required to comply with NPDES permit requirements which required the elimination of primary and secondary treatment processes. A direct result of this requirement was reduced odor impacts on neighbors. The facility's pre-treatment of effluent process is more compatible with surrounding uses.

As the treatment facility has been in continuous operation for over 40 years, and there is no intent to terminate the use of the site as a wastewater facility, DPP has considered redistricting the parcel to the State Land Use Urban District. However, it was concluded that redistricting the parcel to the Urban District would be inappropriate for the following reasons:

- The site is not contiguous to the State Land Use Urban District. It is separated by Tax Map Key 9-4-5: Parcels 48, 50, and 69, all of which are designated within the State Land Use Agricultural District. A plant nursery is located on Parcels 48 and 69, and Parcel 50 contains an electrical substation. Reclassification to the Urban District would result in a 'spot' Urban classification.
- The facility will remain as a pre-treatment facility for the foreseeable future and the Applicant has no plans to intensify or reactivate primary or secondary treatment processes. Thus, considering that pre-treatment is a minor process when compared to the major processes involved with a fully-operational wastewater treatment facility, the SUP is the appropriate permitting vehicle to address the requirements of Chapter 205, HRS.

Guideline 5: That the land upon which the proposed use is sought is unsuited for the uses permitted within the district.

The proposal is to legitimize the existing treatment facilities and allow proposed modifications with an approved SUP. The wastewater facility has been in continuous operation since its construction in 1967. The surrounding nursery and agricultural operations have not been adversely impacted affected by the existing facility. And, if the facility were to be relocated, there would be no significant advantages as another site would likely locate in the Agricultural District to minimize impacts on residents.

2. Consistency With Chapter 205A, HRS, Coastal Zone Management Law

Consistency with applicable coastal zone management objectives and policies, set forth in HRS §205A-2, is summarized below:

Historic Resources

Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

There are presently no historic sites listed on the National or State Register of Historic Places for the subject parcel pursuant to the FEA. No historic or archaeological resources are anticipated to be affected by the proposed action as the site is now developed with wastewater treatment facilities. Previously, the site was used for sugar cane and pineapple cultivation. No new structures are proposed, only equipment modifications and replacements are proposed.

Scenic and Open Space Resources

Protect, preserve, and, where desirable, restore or improve the quality of coastal scenic and open space resources.

The existing facility and proposed modifications do not impinge upon any significant or protected view corridors. The existing facilities are not visible from any street, they are set back at least 460 feet from the nearest public vantage point at Makapipipi Street. No new structures are proposed.

Public Participation

Stimulate public awareness, education, and participation in coastal management.

A pre-application presentation of the project proposal was made to the Mililani/Waipio/Melemanu Neighborhood Board No. 25 on three separate occasions between 2001 and 2005. In addition, in June 2008, informational notices were sent to elected government officials, surrounding landowners, and various other community organizations. The application materials are available for inspection at the Wahiawa Satellite City Hall and the DPP in Downtown Honolulu.

3. City General Plan

The General Plan consists of comprehensive objectives and policies that outline the City's long-range development goals. The proposed project conforms to the following objectives and policies of the City's General Plan as cited below:

Transportation and Utilities

Objective B. To meet the needs of the people of Oahu for an adequate supply of water and for environmentally sound systems of waste disposal.

Policy 5. Provide safe, efficient, and environmentally sensitive waste-collection and disposal services.

Policy 6. Support programs to recover resources from solid-waste and recycled wastewater.

The proposal continues the current process of preliminary treatment at the site and transmission of effluent to Honouliuli Wastewater Treatment Plant. Thus, clean water requirements of the NPDES permit will continue to be met for this site.

The proposal also considers Board of Water Supply's possible use of the primary and final clarifier tanks for the storage of reclaimed water for irrigation.

4. Revised Ordinances of Honolulu (ROH), Chapter 24, Central Oahu Sustainable Communities Plan (SCP)

The Project area is located within Central Oahu Sustainable Communities Plan area ("CO SCP") and the existing and proposed facility modifications are consistent with the CO SCP's vision, policies, and guidelines, by providing needed infrastructure capacity to meet existing and future growth.

The Applicant indicates that during major storms, runoff infiltrates the sewer transmission system which increases effluent volumes over the facility's existing design capacity. In addition, new home construction in Launani Valley and the development of commercial properties in Mililani technology Park and other lots in the service area will contribute additional sewage flows. The proposed improvements will address the wet-weather flows and the anticipated additional sewage that will be generated as a result of projects in the service area.

5. Revised Ordinances of Honolulu (ROH), Chapter 21, Land Use Ordinance (LUO)

The Project site is designated within the AG-1 Restricted Agricultural District. Pursuant to the LUO, the use is considered a "public use" which is permitted in the AG-1 District.

The Project area is designated in Flood Zone D which indicates possible but undetermined flood hazards. The Project area is not subject to the flood hazard district requirements in § 21-9.10 (Flood Hazard Districts) of the LUO.

B. PUBLIC FACILITIES AND SERVICES

As previously cited in Section IIIA2, Guideline 3, adverse impacts on public infrastructure improvements are not anticipated. Public infrastructure agencies did not object to the SUP request. Thus, conditions of approval relating to public services are not recommended at this time.

## C. ENVIRONMENTAL AND SOCIAL IMPACTS

The proposal obtained a Findings of No Significant Impact pursuant to the requirements of Chapter 343, HRS, the Environmental Impact Statement Law. Other than short-term impacts related to the construction of the proposed modifications, the proposed action is not anticipated to have adverse long-term impacts relating to noise, dust, odors, historic and cultural resources, endangered or threaten species, population, employment, housing, or public utility services.

## IV. CONCLUSION

Based on the foregoing analysis, the proposed project will not have an adverse impact on surrounding residential and agricultural activities, nor will it overburden infrastructure resources such as roadways, water, sewer disposal, or fire and police protection. Furthermore, the proposed project conforms to the objectives and policies contained in Chapter 205A, HRS, Coastal Zone Management and in the General Plan. The proposed project is also consistent with the Central Oahu Sustainable Communities Plan policies and planning principles relating to the provision of adequate infrastructure to support existing and future growth. Thus, the proposal to allow the continued use of the site for a preliminary wastewater treatment facility and to allow modifications to increase capacity as proposed is an "unusual and reasonable" use, as defined in HRS §205-6 and the five guidelines established in Rules of the Planning Commission §2-45.

## V. RECOMMENDATION

The Director of Planning and Permitting recommends that a State Special Use Permit for approximately 11.2 acres, identified as Tax Map Key: 9-4-5: Parcel 19, Waipio, Oahu, for existing and proposed facilities as shown in **Exhibit 1**, be **APPROVED**, subject to the following conditions:

1. While the Special Use Permit is in effect, the Applicant or its successor shall keep a detailed log of odor complaints and action taken. The log shall include the date and time of the complaint; the name, address and phone number of the party filing the complaint, if available; and a description of the complaint. The log, which shall be submitted to the Director of Planning and Permitting on each anniversary of the date of the Decision and Order, shall include the date and description of the action taken to mitigate the odors. A continuous volume of complaints shall warrant reconsideration of the Special Use Permit by the Planning Commission.
2. Minor modifications to the approved wastewater treatment facility, including accessory uses and structures, are subject to review and approval by the Director of Planning and Permitting. Major modifications, those that substantially increase impacts on existing infrastructure or surrounding uses, as determined by the Director of Planning and Permitting, shall be subject to Planning Commission review and approval.
3. Approval of this Special Use Permit does not constitute compliance with other Land Use Ordinance or governmental agencies' requirements which are subject to separate review and approval. The Applicant is responsible for insuring that final plans for the project approved under this permit comply with all applicable governmental agencies' provisions and requirements.

4. The Applicant and/or landowner shall notify the Director of Planning and Permitting of:
- a. Any change or transfer of interest of the approved area;
  - b. Any change in uses on the approved area; and/or
  - c. Termination of any uses on the approved area.

The Planning Commission, in consultation with the Director of Planning and Permitting, shall determine the disposition of this Special Use Permit and the facilities permitted herein. Upon termination, expiration or voidance of this permit, any facility and/or equipment installed on the property shall be removed by the Applicant and/or their successors.

5. In the event of noncompliance with any of the conditions set forth herein, the Director of Planning and Permitting may terminate all uses approved under this Special Use Permit or the Director may declare this Special Use Permit null and void or seek civil enforcement.

Dated at Honolulu, Hawaii this 3rd day of December, 2008.

DEPARTMENT OF PLANNING AND PERMITTING  
CITY AND COUNTY OF HONOLULU  
STATE OF HAWAII

By

  
Henry Eng, FAICP, Director  
Department of Planning and Permitting

HE:lh  
Doc: 623430

Attachments

## **Exhibit A**



## **Exhibit B**



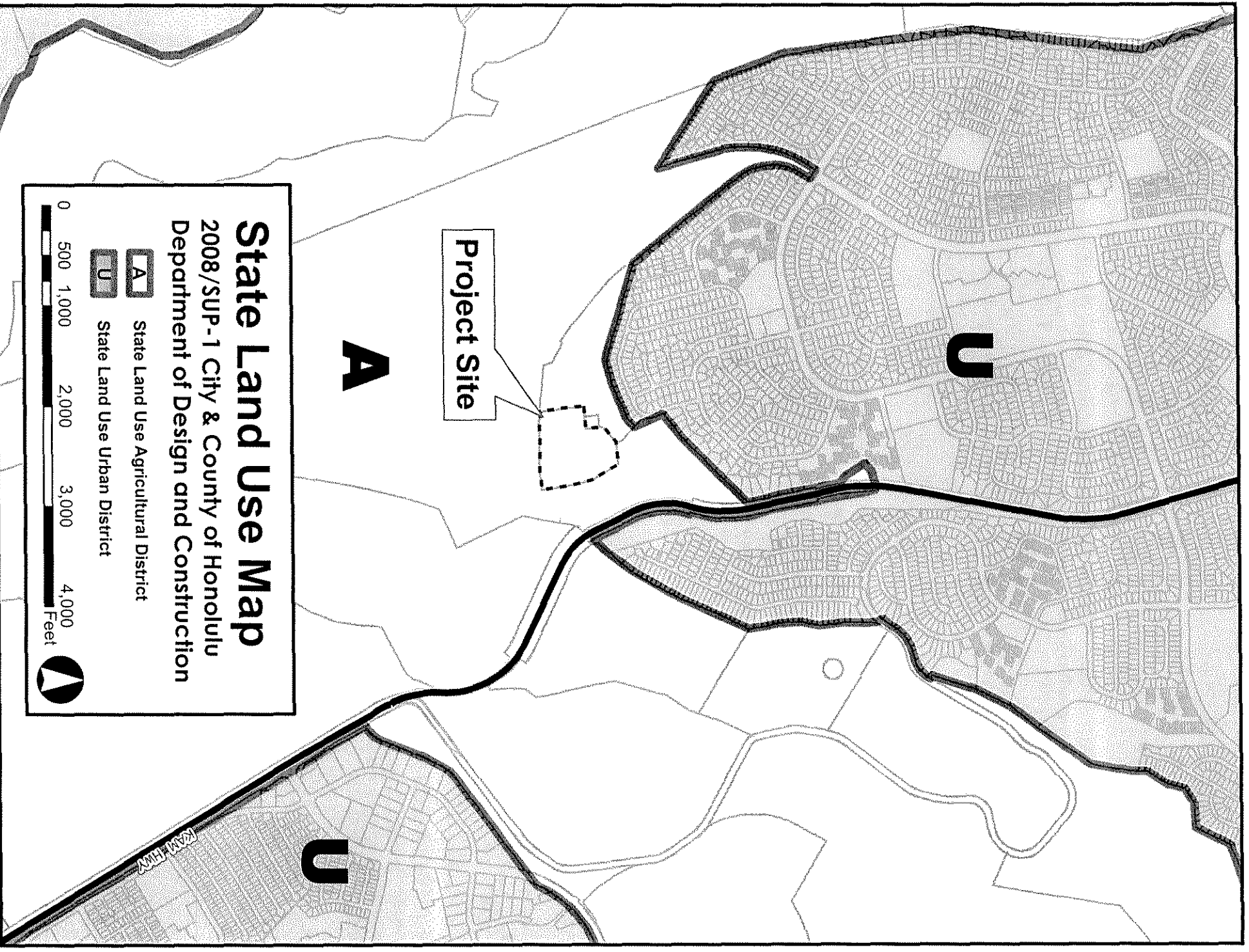


Exhibit B

## **Exhibit C**

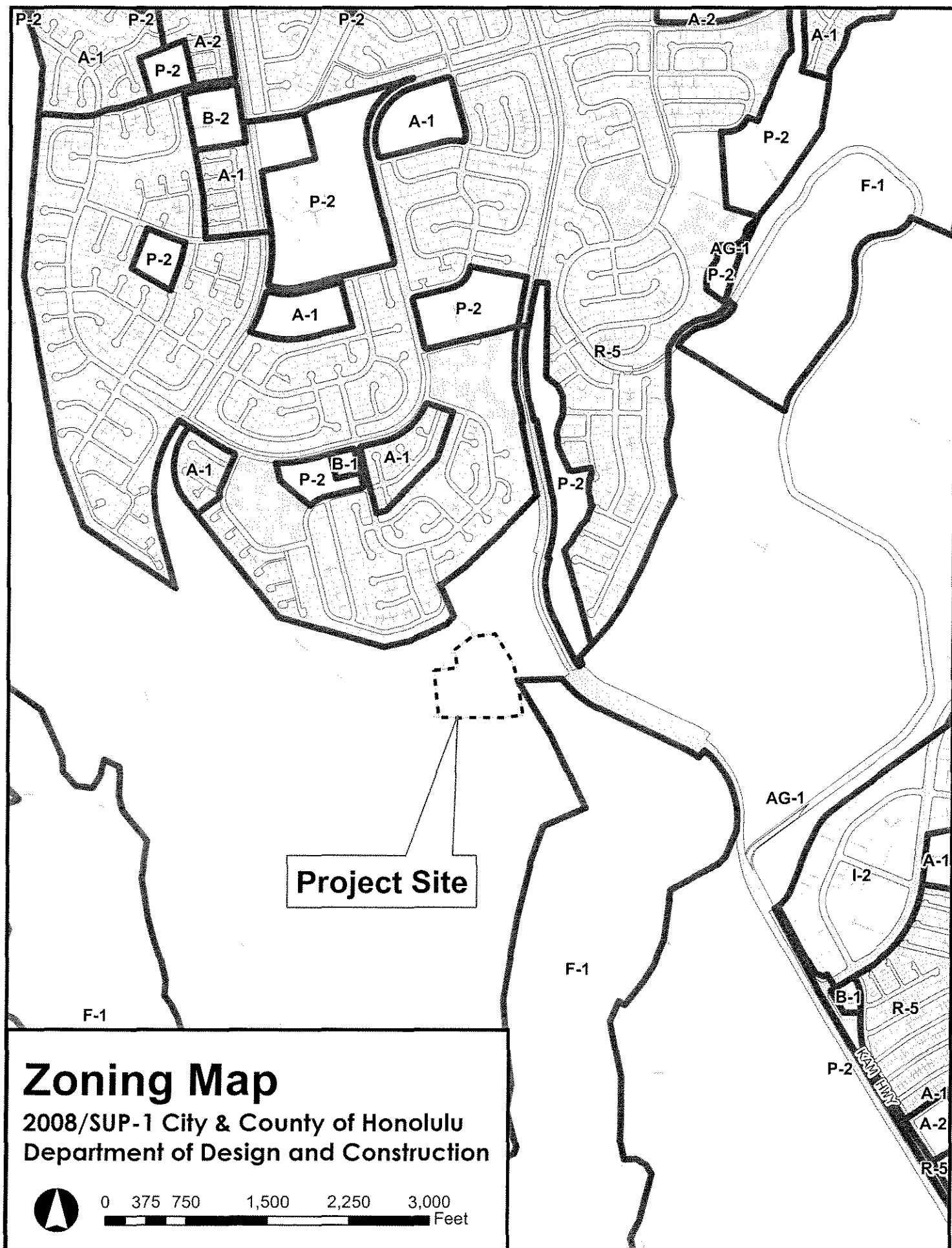


Exhibit C

## **Exhibit 1**

2008/SUP-1 City & County of Honolulu  
Department of Design and Construction

Legend



Special Use Permit Area



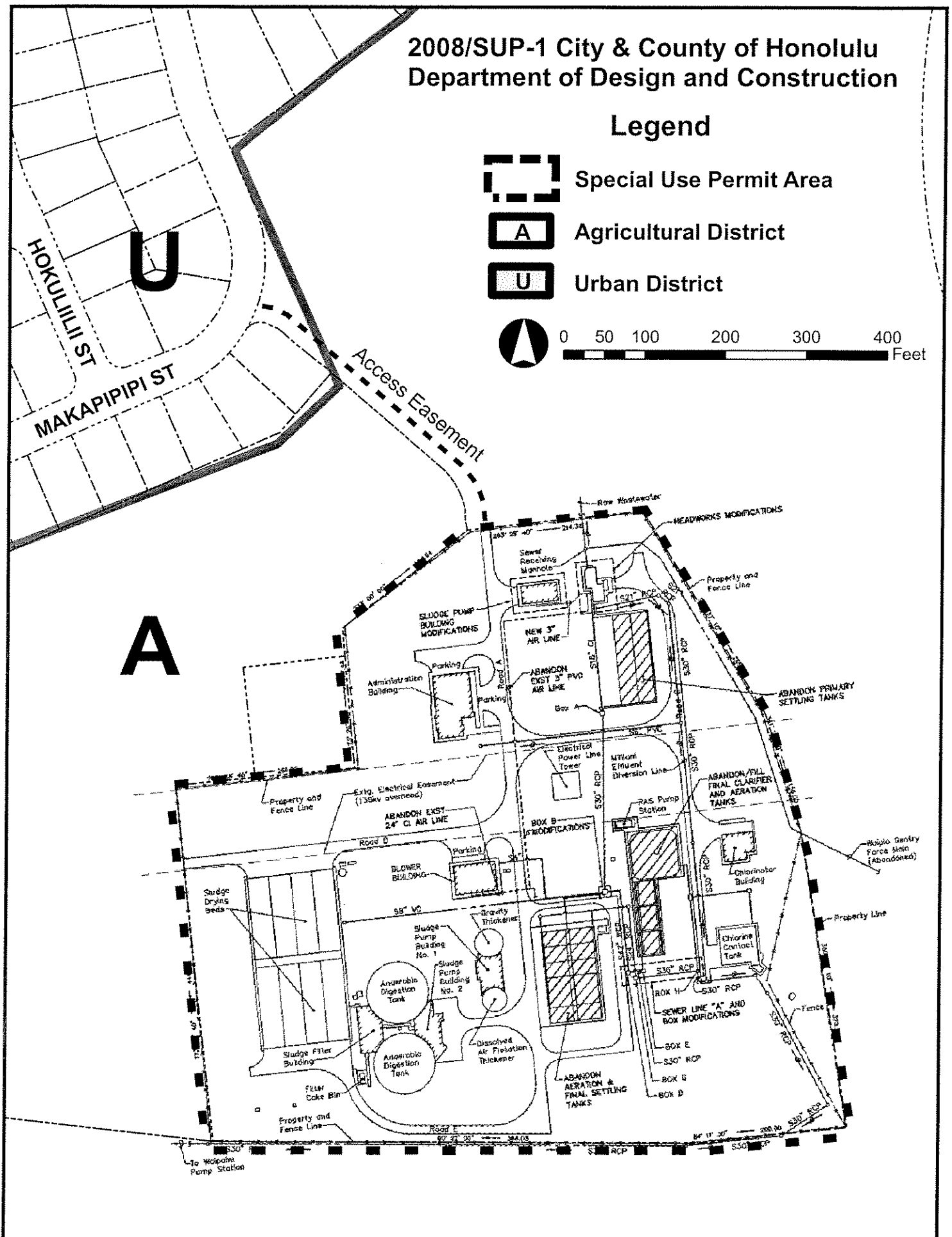
Agricultural District



Urban District



0 50 100 200 300 400 Feet





**STATE OF HAWAII**  
**OFFICE OF HAWAIIAN AFFAIRS**  
711 KAPI'OLANI BOULEVARD, SUITE 500  
HONOLULU, HAWAII 96813

HRD08/943E

July 14, 2008

Henry Eng, FAICP, Director  
Department of Planning and Permitting  
City and County of Honolulu  
650 South King Street, 7<sup>th</sup> Floor  
Honolulu, Hawai'i 96813

DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

08 JUL 18 AM 39

RECEIVED

**RE: Notice of Application: After-the-fact Special Use Permit to allow an existing wastewater treatment facility and modifications, 94-417 Makapipipi Street, Mililani, O'ahu**

Aloha e Henry Eng,

The Office of Hawaiian Affairs (OHA) is in receipt of the above-mentioned notice dated June 6, 2008. The City and County of Honolulu, Department of Design and Construction, is applying for an after-the-fact Special Use Permit to allow an existing wastewater treatment facility and modifications. OHA has reviewed the project and offers the following comments.

OHA has substantive obligations to protect the cultural and natural resources of Hawai'i for its beneficiaries, the people of this land. The Hawaii Revised Statutes mandate that OHA "[s]erve as the principal public agency in the State of Hawaii responsible for the performance, development, and coordination of programs and activities relating to native Hawaiians and Hawaiians; . . . and [t]o assess the policies and practices of other agencies impacting on native Hawaiians and Hawaiians, and conducting advocacy efforts for native Hawaiians and Hawaiians." (HRS § 10-3)

The fact that an after-the-fact permit is being reviewed by the Department of Planning and Permitting for an action by the Department of Design and Construction, both departmental agencies of the City and County of Honolulu is alarming. For the most part, after-the-fact permits are often granted to private entities that often claim unfamiliarity of navigating through the regulatory process of obtaining permits and so forth. However, the City and County, being

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an agent of the municipal government of Honolulu, which is obligated to serve the people, has displayed a case of "letting one slip through the cracks."

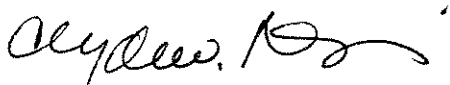
The City should not be allowed to sidestep the responsibility of going through the same process the general public would need to go through during the permitting process. To claim that they "just forgot" will not be an acceptable answer. The Final Environmental Assessment, in accordance with Chapter 343 of the Hawaii Revised Statutes (HRS), was completed in December of 2005. The requirement of the permit was published in the Environmental Notice of the Office of Environmental Quality Control – State Department of Health on December 23, 2005. A Finding of No Significant Impact (FONSI) for the FEA associated with the modifications for the wastewater treatment plant was published for notice to the general public.

This "slip up" by the City and County of Honolulu must be taken seriously and should be considered in the granting of the Special Use Permit by the City and County of Honolulu, Department of Planning and Permitting. If there is a fine structure involved with operating without a special use permit, the after-the-fact permit should only be granted upon payment of those fines. According to the Department of Planning and Permitting Rules for Enforcement: Administrative Fines for Land Use Ordinance Violation, §10-3, "a resolution of a violation includes correction of the violation and payment of civil fines to the city in the amount prescribed by the director." In this case, the City would be fining itself, thus making the monetary penalty of the fine unnoticeable and unproblematic to the city.

OHA is concerned by the oversight of the law and its regulations by multiple municipal departments that are charged with the implementation of those laws and subsequent rules that they must both implement and abide by. Our office will continue to observe the public agencies so that their actions may not impact and impede upon Native Hawaiians and their concerns.

Thank you for the opportunity to comment. If you have further questions, please contact Jason Jeremiah (808) 594-1816 or e-mail him at [jasonj@oha.org](mailto:jasonj@oha.org).

‘O wau iho nō me ka ‘oia‘i‘o,



Clyde W. Nāmu‘o  
Administrator

LINDA LINGLE  
GOVERNOR OF HAWAII



LAURA H. THIELEN  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI  
FIRST DEPUTY

KEN C. KAWAHARA  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION

601 KAMOKILA BOULEVARD, ROOM 555

KAPOLEI, HAWAII 96707

DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

July 18, 2008

Henry Eng, FAICP, Director  
City & County of Honolulu  
Department of Planning and Permitting  
650 South King Street, 7<sup>th</sup> Floor  
Honolulu, Hawai'i 96813

LOG NO: 2008.2331  
DOC NO: 0807ED31  
Archaeology

Dear Mr. Eng:

**SUBJECT: Chapter 6E-8 Historic Preservation Review [C&C] –  
Application for a Special Use Permit File No. 2008/SUP-1 (After-the-Fact), Mililani  
Wastewater Preliminary Treatment Facility (WWPTF) Modifications  
Waipi'o Ahupua'a, Ewa District, Island of O'ahu  
TMK: (1) 9-4-005:019**

Thank you for the opportunity to comment on the aforementioned application, which we received on June 12, 2008. According to the submitted document, the applicant is seeking an after-the-fact Special Use Permit for modifications to the Mililani WWPTF.

We determine that **no historic properties will be affected** by this undertaking because:

- ☐ Intensive cultivation has altered the land
- ☐ Residential development/urbanization has altered the land
- ☐ Previous grubbing/grading has altered the land
- ☐ An accepted archaeological inventory survey (AIS) found no historic properties
- ☐ SHPD previously reviewed this project and mitigation has been completed
- ☒ Other: *The applicant is seeking an after-the-fact permit and no ground disturbing activities are proposed at this time. Additionally, we previously commented on the Pre-Assessment EA for modifications to the Mililani WWPTF, stating that there are no historic sites known to exist within the project area (2003.0336, 0304EJ26).*

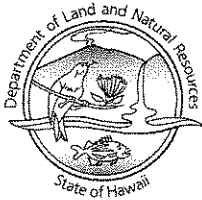
Please contact Teresa Davan at (808) 692-8015 if you have any questions or concerns regarding this letter.

Aloha,

Nancy McMahon, Archaeology and Historic Preservation Manager  
State Historic Preservation Division

SC 1000 00 624385





STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

July 11, 2008

City and County of Honolulu  
Department of Planning and Permitting  
650 South King Street, 7th Floor  
Honolulu, Hawaii 96813

Attention: Mr. Henry Eng, FAICP, Director

Dear Mr. Eng:

SUBJECT: Application for a Special Use Permit File No. 2008/SUP-1 (after-the-fact)  
for Mililani Wastewater Preliminary Treatment Facility Modifications,  
94-417 Makapipipi Street, Mililani, Oahu; TMK: (1) 9-4-005:019

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR) Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comments.

At this time, enclosed are comments from (a) Engineering Division, (b) Division of Forestry & Wildlife, (c) Commission on Water Resource Management, and (d) Oahu District office of the Land Division on the subject matter. Should you have any questions, please feel free to call Darlene Nakamura at 587-0417. Thank you.

Sincerely,

*Darlene Nakamura*  
for Morris M. Atta  
Administrator

Enclosures

DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

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**-DEPARTMENT OF LAND AND NATURAL RESOURCES  
ENGINEERING DIVISION**

**LD/MorrisAtta**

**Ref.:SpecialUsePermitMililaniWasteWater  
Oahu.625**

**COMMENTS**

- ( ) We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zone \_\_\_\_.
- (X) **Please take note that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zone D. The Flood Insurance Program does not have any regulations for developments within Flood Zone D.**
- ( ) Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is \_\_\_\_.
- ( ) Please note that the project must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. If there are any questions, please contact the State NFIP Coordinator, Ms. Carol Tyau-Beam, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0267.

Please be advised that 44CFR indicates the minimum standards set forth by the NFIP. Your Community's local flood ordinance may prove to be more restrictive and thus take precedence over the minimum NFIP standards. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

- ( ) Mr. Robert Sumitomo at (808) 768-8097 or Mr. Mario Siu Li at (808) 768-8098 of the City and County of Honolulu, Department of Planning and Permitting.
- ( ) Mr. Kelly Gomes at (808) 961-8327 (Hilo) or Mr. Kiran Emler at (808) 327-3530 (Kona) of the County of Hawaii, Department of Public Works.
- ( ) Mr. Francis Cerizo at (808) 270-7771 of the County of Maui, Department of Planning.
- ( ) Mr. Mario Antonio at (808) 241-6620 of the County of Kauai, Department of Public Works.
- ( ) The applicant should include water demands and infrastructure required to meet project needs. Please note that projects within State lands requiring water service from the Honolulu Board of Water Supply system will be required to pay a resource development charge, in addition to Water Facilities Charges for transmission and daily storage.
- ( ) The applicant should provide the water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update.
- ( ) Additional Comments: \_\_\_\_\_
- ( ) Other: \_\_\_\_\_

Should you have any questions, please call Ms. Suzie Agraan of the Planning Branch at 587-0258.

Signed: \_\_\_\_\_

ERIC T. HIRANO, CHIEF ENGINEER

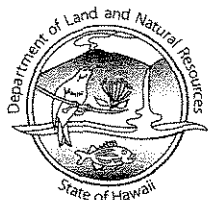
Date: \_\_\_\_\_

7/3/08

LINDA LINGLE  
GOVERNOR OF HAWAII



LAURA H. THIELEN  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

June 13, 2008

MEMORANDUM

TO:

**DLNR Agencies:**

- ☐ Div. of Aquatic Resources
- ☐ Div. of Boating & Ocean Recreation
- ☒ Engineering Division
- ☒ Div. of Forestry & Wildlife
- ☐ Div. of State Parks
- ☒ Commission on Water Resource Management
- ☐ Office of Conservation & Coastal Lands
- ☒ Land Division – Oahu District

FROM:

*ja* Morris M. Atta, Administrator *U. Nakamura*

SUBJECT:

Application for a Special Use Permit File No. 2008/SUP-1 (after-the-fact) for Mililani Wastewater Preliminary Treatment Facility Modifications

LOCATION: 94-417 Makapipipi Street, Mililani, Island of Oahu; TMK: (1) 9-4-005:019

APPLICANT: City and County of Honolulu, Department of Planning and Permitting

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by July 1, 2008.

*Only one (1) copy of the document is available for your review in Land Division office, Room 220.*

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Darlene Nakamura at 587-0417. Thank you.

Attachments

- ☒ We have no objections.
- ☐ We have no comments.
- ☐ Comments are attached.

Signed: *Paul J. Conry*

Date: *JUN 16 2008*

**PAUL J. CONRY, ADMINISTRATOR**  
**DIVISION OF FORESTRY AND WILDLIFE**

RECEIVED  
LAND DIVISION

2008 JUN 17 P 3:47

DEPT. OF LAND &  
NATURAL RESOURCES  
STATE OF HAWAII

OFFICE OF THE  
STATE OF HAWAII

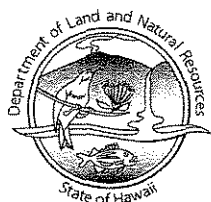
2008 JUN 16 11:05:33

LINDA LINGLE  
GOVERNOR OF HAWAII



LAURA H. THIELEN  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
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08 JUN 14 A 8:55



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

June 13, 2008

MEMORANDUM

~~TO:~~

**DLNR Agencies:**

- ☐ Div. of Aquatic Resources
- ☐ Div. of Boating & Ocean Recreation
- ☒ Engineering Division
- ☒ Div. of Forestry & Wildlife
- ☐ Div. of State Parks
- ☒ Commission on Water Resource Management
- ☐ Office of Conservation & Coastal Lands
- ☒ Land Division – Oahu District

FR:

TO:

FROM: Morris M. Atta, Administrator  
SUBJECT: Application for a Special Use Permit File No. 2008/SUP-1 (after-the-fact) for Mililani Wastewater Preliminary Treatment Facility Modifications  
LOCATION: 94-417 Makapipipi Street, Mililani, Island of Oahu; TMK: (1) 9-4-005:019  
APPLICANT: City and County of Honolulu, Department of Planning and Permitting

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by July 1, 2008.

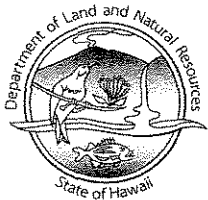
Only one (1) copy of the document is available for your review in Land Division office, Room 220.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Darlene Nakamura at 587-0417. Thank you.

Attachments

- ☐ We have no objections.
- ☒ We have no comments.
- ☐ Comments are attached.

Signed: /Darlene Nakamura  
Date: 7/2/08



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

June 13, 2008

MEMORANDUM

**DLNR Agencies:**

- ☐ Div. of Aquatic Resources
- ☐ Div. of Boating & Ocean Recreation
- ☒ Engineering Division
- ☒ Div. of Forestry & Wildlife
- ☐ Div. of State Parks
- ☒ Commission on Water Resource Management
- ☐ Office of Conservation & Coastal Lands
- ☒ Land Division – Oahu District

*From: TO*  
*TO: FROM*  
SUBJECT: Morris M. Atta, Administrator  
Application for a Special Use Permit File No. 2008/SUP-1 (after-the-fact) for Mililani Wastewater Preliminary Treatment Facility Modifications  
LOCATION: 94-417 Makapipipi Street, Mililani, Island of Oahu; TMK: (1) 9-4-005:019  
APPLICANT: City and County of Honolulu, Department of Planning and Permitting

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by July 1, 2008.

*Only one (1) copy of the document is available for your review in Land Division office, Room 220.*

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Darlene Nakamura at 587-0417. Thank you.

Attachments

- ☐ We have no objections.
- ☒ We have no comments.
- ☐ Comments are attached.

Signed: *[Signature]*  
Date: 6/16/08

LINDA LINGLE  
Governor

JAMES R. AIONA, JR.  
Lieutenant Governor

THEODORE E. LIU  
Director

MARK K. ANDERSON  
Deputy Director



**LAND USE COMMISSION**

Department of Business, Economic Development & Tourism  
State of Hawai'i

ORLANDO "DAN" DAVIDSON  
Executive Officer

SANDRA M. MATSUSHIMA  
Chief Clerk

BERT K. SARUWATARI  
Senior Planner

MICHAEL A. MURPHY  
Planner

FRED A. TALON  
Drafting Technician

July 3, 2008

Mr. Henry Eng, Director  
Department of Planning and Permitting  
City and County of Honolulu  
650 South King Street, 7<sup>th</sup> Floor  
Honolulu, Hawaii 96813

Dear Mr. Eng:

Subject: Application for a Special Use Permit (2008/SUP-1) (After-the-Fact), Mililani  
Wastewater Preliminary Treatment Facility Modifications  
94-417 Makapipipi Street, Mililani, Oahu  
Tax Map Key: 9-4-05: 19

We have reviewed the special use permit (SUP) application forwarded by your memorandum dated June 6, 2008. We understand that an after-the-fact SUP is being sought to allow various modifications to the existing wastewater preliminary treatment facility in Mililani that will improve its efficiency and capacity.

According to the Land Use Commission's (LUC) Land Use District Boundaries Map O-9 (Waipahu), we confirm that the project site is designated within the Agricultural District. We also confirm that there is no SUP on record for the existing facility. As you know, such a facility is currently not a permissible use in the Agricultural District and therefore would require an SUP.

The absence of an SUP in this matter has been attributed to the possibility that an SUP was not required at the time of the facility's construction. According to Raymond Young of your staff, the earliest building permit for the facility was issued on November 2, 1967. Our review of the LUC's records, including the Rules of Practice and Procedure and District Regulations (R&Rs) in effect at that time, indicates that treatment plants were not among the uses expressly permitted in the Agricultural District and were specifically excluded in the R&Rs that were subsequently in effect on August 4, 1969. To the extent that the facility was established without an SUP, we support the application to retroactively comply with the State Land Use Law.

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Mr. Henry Eng, Director  
July 3, 2008  
Page 2

With respect to your request for an evaluation of the impact of the project on public facilities and services provided by the LUC, we have no comments to offer inasmuch as the LUC does not plan nor provide facilities and services as such but rather acts on petitions for district boundary amendments (which may involve the provision of public facilities and/or services) that are submitted to the LUC for its consideration.

We have no further comments to offer at this time. Thank you for the opportunity to comment on the subject application.

Should you have any questions, please feel free to call me or Bert Saruwatari of our office at 587-3822.

Sincerely,

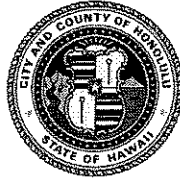
A handwritten signature in black ink, appearing to read 'Orlando Davidson', with a long horizontal flourish extending to the right.

ORLANDO DAVIDSON  
Executive Officer

HONOLULU FIRE DEPARTMENT  
**CITY AND COUNTY OF HONOLULU**

636 South Street  
Honolulu, Hawaii 96813-5007  
Phone: 808-723-7139 Fax: 808-723-7111 Internet: www.honolulu.gov/hfd

MUFI HANNEMANN  
MAYOR



KENNETH G. SILVA  
FIRE CHIEF

ALVIN K. TOMITA  
DEPUTY FIRE CHIEF

June 26, 2008

TO: HENRY ENG, FAICP, DIRECTOR  
DEPARTMENT OF PLANNING AND PERMITTING

FROM: KENNETH G. SILVA, FIRE CHIEF

SUBJECT: APPLICATION FOR A SPECIAL USE PERMIT FILE NO. 2008/SUP-1  
MILILANI WASTEWATER PRELIMINARY TREATMENT  
FACILITY MODIFICATIONS  
94-417 MAKAPIPIPI STREET  
MILILANI, OAHU  
TAX MAP KEY: 9-4-005: 019

In response to your memorandum dated June 6, 2008, regarding the above-mentioned subject, the Honolulu Fire Department reviewed the material provided and has no objections to the proposed project.

Should you have any questions, please call Battalion Chief Socrates Bratakos of our Fire Prevention Bureau at 723-7151.

A handwritten signature in cursive script, reading "Kenneth G. Silva".

KENNETH G. SILVA  
Fire Chief

KGS/SY:jl

DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

08 JUN 27 P2:57

RECEIVED

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## BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU  
630 SOUTH BERETANIA STREET  
HONOLULU, HI 96843



June 23, 2008  
'08 JUN 24 P1:26

DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

MUFI HANNEMANN, Mayor

RANDALL Y. S. CHUNG, Chairman  
SAMUEL T. HATA  
ALLY J. PARK  
ROBERT K. CUNDIFF  
MARC C. TILKER

CRAIG I. NISHIMURA, Ex-Officio  
BRENNON T. MORIOKA, Ex-Officio

CLIFFORD P. LUM  
Manager and Chief Engineer

DEAN A. NAKANO  
Deputy Manager and Chief Engineer

TO: HENRY ENG, FAICP, DIRECTOR  
DEPARTMENT OF PLANNING AND PERMITTING

FROM: KEITH S. SHIDA, PROGRAM ADMINISTRATOR  
BOARD OF WATER SUPPLY *K. Shida*

SUBJECT: YOUR LETTER DATED JUNE 6, 2008 ON THE SPECIAL USE PERMIT  
FILE NO. 2008/SUP-1 FOR MILILANI WASTEWATER PRELIMINARY  
TREATMENT FACILITY MODIFICATIONS, TMK: 9-4-5:19

The existing water system is presently adequate to accommodate the proposed wastewater treatment plant upgrades. However, please be advised that this information is based upon current data and, therefore, the Board of Water Supply reserves the right to change any position or information stated herein up until the final approval of your building permit application. The final decision on the availability of water will be confirmed when the building permit application is submitted for approval.

When water is made available, the applicant will be required to pay our Water System Facilities Charges for resource development, transmission and daily storage.

The Board of Water Supply is interested in potentially rehabilitating and utilizing one of the abandoned circular digester tanks as potential storage for the proposed recycled water system from the Wahiawa Wastewater Treatment Plant to Central Oahu Regional Park. We understand the digester tank has a capacity of approximately 700,000 gallons.

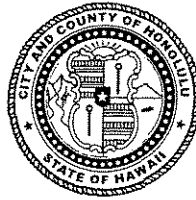
If you have any questions, please contact Robert Chun at 748-5443.

cc: Scot Muraoka

DEPARTMENT OF PARKS AND RECREATION  
**CITY AND COUNTY OF HONOLULU**

KAPOLEI HALE • 1000 ULUOHIA STREET, SUITE 309 • KAPOLEI, HAWAII 96707  
TELEPHONE: (808) 768-3003 • FAX: (808) 768-7053 • INTERNET: [www.honolulu.gov](http://www.honolulu.gov)

MUFI HANNEMANN  
MAYOR



June 23, 2008

LESTER K.C. CHANG  
DIRECTOR

GAIL Y. HARAGUCHI  
DEPUTY DIRECTOR

DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

08 JUN 20 P 2:40

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TO: HENRY ENG, FAICP, DIRECTOR  
DEPARTMENT OF PLANNING AND PERMITTING

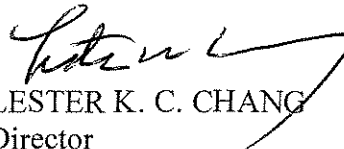
FROM: LESTER K. C. CHANG, DIRECTOR

SUBJECT: APPLICATION FOR A SPECIAL USE PERMIT FILE  
NO. 2008/SUP-1 (AFTER THE FACT), MILILANI WASTEWATER  
PRELIMINARY TREATMENT FACILITY MODIFICATIONS.  
94-417 MAKAPIPIPI STREET, MILILANI, OAHU

Thank you for the opportunity to review and comment on the Special Use Permit for the Mililani Wastewater Preliminary Treatment Facility Modifications.

Approval of this permit will not impact any program or facility of the Department of Parks and Recreation.

Should you have any questions, please contact Mr. John Reid, Planner, at 768-3017.

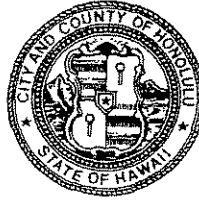
  
LESTER K. C. CHANG  
Director

LKCC:jr  
(265392)

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DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**  
650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 527-6743  
DEPT. WEB SITE: [www.honolulu.gov/dpp](http://www.honolulu.gov/dpp) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

MUFI HANNEMANN  
MAYOR



'08 JUN 13 A9:23

HENRY ENG, FAICP  
DIRECTOR

DAVID K. TANQUE  
DEPUTY DIRECTOR

DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

2008/SUP-1(RY)

June 6, 2008

**MEMORANDUM**

TO: CITY, STATE AND FEDERAL AGENCIES

FROM: *for* HENRY ENG, FAICP, DIRECTOR *Henry Eng*  
DEPARTMENT OF PLANNING AND PERMITTING

SUBJECT: APPLICATION FOR A SPECIAL USE PERMIT FILE NO. 2008/SUP-1  
(AFTER-THE-FACT), MILILANI WASTEWATER PRELIMINARY  
TREATMENT FACILITY MODIFICATIONS  
94-417 MAKAPIPIPI STREET, MILILANI, OAHU  
TAX MAP KEY: 9-4-5: 19

Enclosed for your review and general comments is an application for an after-the-fact Special Use Permit to allow an existing wastewater treatment facility and modifications.

Please evaluate the impact of the project on the public facilities and services which are planned or provided by your department and indicate whether they are adequate to serve the project. If public facilities and services are not adequate, indicate what improvements would be necessary to support the project.

Due to time constraints imposed by the Rules of the Planning Commission, your reply is due to this department by the date indicated below. Your comments should be in writing and identify, if any, the concerns of the community affected by this proposal. Please reference the project file number, 2008/SUP-1, in your response.

HE:lh  
Doc. 620978

Enclosure

Reply by: July 7, 2008

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DEPARTMENT OF PLANNING AND PERMITTING  
SUMMARY DESCRIPTION

APPLICANT	:	City & County of Honolulu, Department of Design and Construction
LANDOWNER	:	City & County of Honolulu
REQUEST	:	After-the-fact Special Use Permit to allow an existing wastewater treatment facility and modifications.
LOCATION	:	94-417 Makapipipi Street, Mililani, Oahu
TAX MAP KEYS	:	9-4-5: 19
LAND AREA	:	Approximately 11.2 Acres.
DP LAND USE MAP	:	Agriculture and Preservation
PUBLIC INFRASTRUCTURE MAP	:	Sewage Treatment Plant/Modify Existing Facility
EXISTING USE	:	Sewage Treatment Plant
SURROUNDING LAND USE	:	Agriculture and open space

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DEPARTMENT COMMENTS:

Thank you for the opportunity to review and comment on the subject project.

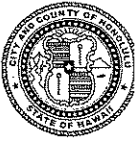
This project should have no significant impact on the facilities or operations of the Honolulu Police Department.

If there are any questions, please call Major Bart Huber of District 2 at 621-3725 or Mr. Brandon Stone of the Executive Office at 529-3644.

BOISSE P. CORREA  
Chief of Police

By   
DEBORA A. TANDAL  
Assistant Chief of Police  
Support Services Bureau  
June 12, 2008

## **Attachment B**



**MILILANI/ WAIPIO/ MELEMANU NEIGHBORHOOD BOARD NO. 25**

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

**RESOLUTION IN SUPPORT OF THE MILILANI WASTEWATER PRELIMINARY TREATMENT FACILITY (WWPTF) MODIFICATIONS**

**WHEREAS**, the proposed modifications to the WWPTF are required to improve treatment of wastewater including major improvements to the headworks, modifications to the existing sludge pump building, and the drying beds; and

**WHEREAS**, there have been many concerns expressed by neighboring residents regarding limited disclosure to the neighbors; access to the site through neighborhood streets, wording of the possibility of the improvements accommodating future developments such as Waiawa and Koa Ridge, and Board of Water Supply proposed use of the facility to transport R-1 water from Waiawa to the Central Oahu Regional Park; and

**WHEREAS**, at the behest of Neighborhood Board No. 25, a public informational meeting was conducted on October 3, 2008, to allow residents to discuss their concerns and have them resolved to their satisfaction, and a site visit was conducted on October 4, 2008, to give residents the opportunity to witness the processing of wastewater at the site; now therefore,


**BE IT RESOLVED** that Neighborhood Board No. 25 concurs in and supports the proposed WWPTF modifications subject to the following conditions:

1. that the City use the expanded public outreach mailing list developed by Hawaii Pacific Engineers (approximately 300 residents within 1,500 feet of the site) for notification of the City Planning Commission hearing on the project;
2. that access to the site be limited to the extent practicable and that City vehicles be operated with extra care to minimize interference with neighborhood traffic and avoid the possibility of spillage and accident potential in the area;
3. that the City install activated carbon canisters in selected manholes to reduce odor problems; and
4. that the WWPTF not be used to accommodate wastewater from any future Central Oahu developments such as at Waiawa and Koa Ridge.

**BE IT FURTHER RESOLVED** that Neighborhood Board #25 commends the work and cooperative efforts of Hawaii Pacific Engineers to resolve objections to the project raised by neighboring property owners; and

**BE IT FINALLY RESOLVED** that copies of this resolution be transmitted to the Mayor of the City and County of Honolulu; all City Council members; the Director of the City and County of Honolulu Department of Design and Construction; Mr. Roy Abe, Hawaii Pacific Engineers, Inc.; and the Director of the State Office of Environmental Quality Control.

*Adopted by Mililani-Waipio-Melemanu Neighborhood Board No. 25 at its regular meeting of October 22, 2008, by a vote of 17-0-0.*

  
Richard G. Poirier, Chair

